

RESOLUTION NO. 2014-R-31

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE DEDICATION OF TWO (2) ADJACENT CITY OWNED PARCELS OF LAND BY FEE SIMPLE CONVEYANCE AND BY PERPETUAL EASEMENT TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), ENCOMPASSING APPROXIMATELY TEN THOUSAND FIVE HUNDRED SIXTY-FIVE (10,565) SQUARE FEET, SITUATED ON THE NORTHBOUND LANES OF BISCAYNE BOULEVARD (A/K/A U.S. 1) AT THE INTERSECTION OF NORTHEAST 151ST STREET, TO WIDEN THE INTERSECTION FOR THE INSTALLATION OF A DEDICATED RIGHT-TURNING LANE AND TO PROVIDE MAINTENANCE OF THE DRAINAGE SLOPE; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO DO ALL THINGS NECESSARY INCLUDING THE EXECUTION OF ALL PERTINENT DOCUMENTS TO EFFECTUATE THE FEE SIMPLE CONVEYANCE AND THE PERPETUAL EASEMENT OF THE SUBJECT TWO (2) PARCELS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, the intersection of Biscayne Boulevard (a/k/a U.S. 1) and Northeast 151st Street is operating at a low level of service, and improvements are required to accommodate future development; and

WHEREAS, the Florida Department of Transportation ("FDOT") has programmed the repaving of Biscayne Boulevard near the subject intersection and has offered to design and pay for improvements to the intersection at the same time; and

WHEREAS, the FDOT is proposing a project on northbound Biscayne Boulevard at the intersection of 151st Street, to install a dedicated right-turning lane, maintain the drainage slope, and provide milling and resurfacing the area ("Project"); and

WHEREAS, to realize the Project, FDOT requires the conveyance and use of two (2) adjacent parcels of land owned by the City of North Miami ("City"), in accordance with Section 337.29, Florida Statutes (2013); and

WHEREAS, the first parcel of land, encompassing approximately six thousand nine hundred fourteen (6,914) square feet ("Parcel 100"), requires a fee simple conveyance to FDOT for the purpose of constructing the Project; and

WHEREAS, the second parcel of land, encompassing approximately three thousand six hundred fifty-one (3,651) square feet ("Parcel 800"), requires a perpetual easement in favor of FDOT for the purposes of constructing and maintaining the Project; and

WHEREAS, the dedication to FDOT of a fee simple conveyance and perpetual easement of Parcel 100 and Parcel 800, respectively, encompassing an approximate total of Ten Thousand Five Hundred Sixty-Five (10,565) square feet, is necessary if the City desires to achieve the Project; and

WHEREAS, to facilitate the realization of the Project, FDOT has delivered to the City a number of documents for execution, that are necessary to effectuate the conveyance of Parcel 100 and Parcel 800 (e.g., deeds, perpetual easement, license agreement, etc.); and

WHEREAS, the Mayor and City Council of the City of North Miami, find that the stated conveyance of Parcel 100 and Parcel 800 to establish and maintain the Project, would greatly benefit the public health, safety and welfare; and therefore, find such conveyance of City owned property to FDOT, to be in the best interest of the City.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AS FOLLOWS:


Section 1. Dedication of property to the Florida Department of Transportation.

The Mayor and Council of the City of North Miami, Florida, hereby approve the dedication of two (2) adjacent City owned parcels of land by fee simple conveyance and by perpetual easement to the Florida Department of Transportation (FDOT), encompassing approximately ten thousand five hundred sixty-five (10,565) square feet, situated on the northbound lanes of Biscayne Boulevard (a/k/a U.S. 1) at the intersection of northeast 151st Street, to widen the intersection for the installation of a dedicated right-turning lane and to provide maintenance of the drainage slope, as depicted in the attached "Exhibit A".

Section 2. Authority of City Manager and City Attorney. The Mayor and Council of the City of North Miami, Florida, hereby authorize the City Manager and City Attorney to do all things necessary including the execution of all pertinent documents, to effectuate the fee simple conveyance and the perpetual easement of the subject two (2) parcels.

Section 3. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 22nd day of April, 2014.


LUCIE M. TONDREAU
MAYOR

ATTEST:


MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Tondreau

Vote:

Mayor Lucie M. Tondreau	<u>x</u>	(Yes)	<u> </u>	(No)
Vice Mayor Philippe Bien-Aime	<u>x</u>	(Yes)	<u> </u>	(No)
Councilperson Scott Galvin	<u>x</u>	(Yes)	<u> </u>	(No)
Councilperson Carol Keys, Esq.	<u>x</u>	(Yes)	<u> </u>	(No)
Councilperson Marie Erlande Steril	<u>x</u>	(Yes)	<u> </u>	(No)

Exhibit A

Approximate location of Parcels 100 and 800 combined

